

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA  
CHARLESTON DIVISION**

IN RE: ETHICON, INC.  
PELVIC REPAIR SYSTEMS  
PRODUCTS LIABILITY LITIGATION

MDL NO. 2327

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**THIS DOCUMENT RELATES TO THE FOLLOWING CASES:**

**ETHICON WAVE CASES IDENTIFIED ON EXHIBIT “A”**

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**NOTICE OF ADOPTION OF PRIOR DAUBERT MOTION OF  
DR. STEPHEN BADYLAK FOR WAVE 5 CASES**

For the Ethicon Wave cases identified in Exhibit “A” attached hereto, Plaintiffs hereby adopt and incorporate by reference the Motion to Exclude Dr. Stephen Badylak filed in Boston Scientific Corp. Pelvic Repair Systems Product Liability Litigation MDL No. 2326, *see* ECF No. 4826 (Mot. and Memo.); *see also* ECF No. 5033 (Reply). Plaintiffs respectfully request that the Court exclude Dr. Badylak’s testimony for the reasons previously set forth.

DATED: May 13, 2019

Respectfully submitted,

By: /s/ Clayton A. Clark  
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**CERTIFICATE OF SERVICE**

I hereby certify that on May 13, 2019 I electronically filed the foregoing document with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the CM/ECF participants registered to receive service in this MDL.

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